

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DUANE LEE NORRIS,)
)
Plaintiff,)
)
v.)
) 1:23-cv-84
MARTIN J. O'MALLEY,¹)
Commissioner of Social)
Security,)
)
Defendant.)

ORDER

On February 26, 2024, the United States Magistrate Judge's Memorandum Opinion and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 15, 16.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

IT IS HEREBY ORDERED that the Magistrate Judge's Recommendation, (Doc. 15), is **ADOPTED. IT IS FURTHER ORDERED**

¹ Martin J. O'Malley as sworn in as the Commissioner of Social Security on December 20, 2023. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Martin J. O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 405(g) of the Social Security Act, 42 U.S.C. § 405(g).

that Plaintiff's Dispositive Brief, (Doc. 8), is **GRANTED**, to the extent cited in the Recommendation.

IT IS FURTHER ORDERED that Defendant's Dispositive Brief, (Doc. 12), is **DENIED**, that the Commissioner's decision finding no disability is **REVERSED**, and this matter is **REMANDED** to the Commissioner under sentence four of 42 U.S.C. § 405(g).

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 14th day of March, 2024.


United States District Judge